

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

JOHN DOE, )  
Plaintiff, )  
v. ) No. 1:22-cv-01828-SEB-MG  
BUTLER UNIVERSITY, )  
Defendant. )

## ORDER

In granting Plaintiff's previously sought leave to proceed using a pseudonym in this case, the Court relied on a standard that the Seventh Circuit has now rejected. *Doe v. Trustees of Indiana Univ.*, 2024 WL 1824967, at \*4 (7th Cir. Apr. 26, 2024). There, the Seventh Circuit recently adopted a stringent standard for determining whether to allow a party to litigate anonymously. *Id.* (finding abuse of discretion to permit litigant "to conceal his name without finding that he is a minor, is at risk of physical harm, or faces improper retaliation (that is, private responses unjustified by the facts as determined in court)"); *cf. Doe v. Blue Cross & Blue Shield United of Wisconsin*, 112 F.3d 869, 872 (7th Cir. 1997) ("[F]ictitious names are allowed when necessary to protect the privacy of children, rape victims, and other particularly vulnerable parties or witnesses.").

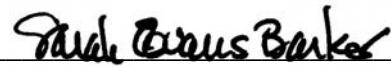
In light of the Seventh Circuit's opinion in *Doe v. Trustees of Indiana University*, Plaintiff is hereby **ORDERED** to file a motion (to continue) to proceed anonymously **within fourteen (14) days of the date of this Order**, wherein he shall explain how permitting him to do so comports with Seventh Circuit law. Before filing the motion,

Plaintiff shall ascertain whether Defendant intends to object. If no objection is anticipated, such shall be noted in the motion. If an objection will be forthcoming, Plaintiff's motion shall be briefed in accordance with Local Rule 7-1(c)(3).

IT IS SO ORDERED.

Date:

5/8/2024



SARAH EVANS BARKER, JUDGE  
United States District Court  
Southern District of Indiana

Distribution:

Stuart Bernstein  
NESENOFF & MILTENBERG, LLP  
[sbernstein@nmllplaw.com](mailto:sbernstein@nmllplaw.com)

Regina M. Federico  
NESENOFF & MILTENBERG, LLP  
[rfederico@nmllplaw.com](mailto:rfederico@nmllplaw.com)

Cassie Nichole Heeke  
Church, Church, Hittle and Antrim  
[cheeke@cchalaw.com](mailto:cheeke@cchalaw.com)

Jonathan Charles Little  
SAEED & LITTLE LLP  
[jon@sllawfirm.com](mailto:jon@sllawfirm.com)

Andrew T. Miltenberg  
NESENOFF & MILTENBERG, LLP  
[amiltenberg@nmllplaw.com](mailto:amiltenberg@nmllplaw.com)

Kristen Mohr  
Nesenoff & Miltenberg LLP  
[kmohr@nmllplaw.com](mailto:kmohr@nmllplaw.com)

Liberty L. Roberts  
CHURCH CHURCH HITTLE & ANTRIM (Noblesville)  
[lroberts@cchalaw.com](mailto:lroberts@cchalaw.com)